

**AGENDA
COUNCIL MEETING
DECEMBER 16, 2014**

**140 NORTH BROADWAY
SOUTH AMBOY, NJ 08879**

7:00 P.M.

1. MEETING CALLED TO ORDER BY COUNCIL PRESIDENT
2. OPENING PRAYER AND SALUTE TO THE FLAG
3. ROLL CALL: APPELGATE ____, DATO ____, GROSS ____, NOBLE ____, CONNORS ____
4. CERTIFICATION OF MEETING BY COUNCIL PRESIDENT

CONSENT AGENDA:

- a.) *R-172-2014 Resolution Approving the Middlesex County Wastewater Management Plan
- b.) *R-173-2014 Resolution Amending Resolution # 89-2014- Rocky Top
- c.) *R-174-2014 Resolution Amending Award of Contract for Midway Glass & Metal Installers, Inc.,- City Hall Backdoor Replacement Project
- d.) *R-175-2014 Resolution Authorizing Tax Refunds and Cancellation of Tax Delinquencies of Less Than \$10.00
- e.) *R-176-2014 Resolution Approving Disabled Property Tax Deduction
- f.) *R-177-2014 Resolution Approving Senior Citizen Property Tax Deduction
- g.) *R-178-2014 Resolution Approving Disabled Property Tax Deduction
- h.) *R-179-2014 Resolution Approving Amendment to Contract State Contract #A82527 for Tire Purchase and Repair
- i.) *R-180-2014 Resolution Approving Amendment to Contract State Contract #A82770 for Diesel Fuel
- j.) *R-181-2014 Resolution Approving the Purchase of 2014 Chevrolet Caprice Police Patrol Vehicle
- k.) *R-182-2014 Resolution Approving the Purchase of 2014 Chevrolet Caprice Vehicle
- l.) *R-183-2014 Resolution Approving the Purchase of 2015 Ford F-450 Cab & Chassis
- m.) *R-184-2014 Resolution Approving a Change Order for Waterfront Walkway & Seawall

LIST OF BILLS FOR PAYMENT: (To be received and filed)

- a.) List of bills for payment dated December 12, 2014

ORDINANCES:

- a.) #12-2014 2nd Reading AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER, LAND DEVELOPMENT, OF THE GENERAL ORDINANCES OF THE CITY OF SOUTH AMBOY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, CONCERNING GENERAL DEVELOPMENT PLANS, PLANNED DEVELOPMENTS AND RELATED DEFINATIONS
- b.) #13-2014 2nd Reading AN ORDINANCE AOPTING THE BECACH CLUB DEVELOPMENT PLAN
- c.) #14-2014 1st Reading AN ORDINANCE TO AMEND CHAPTER 46, CONSTRUCTION CODES, AND OTHER FEES FOR THE CITY OF SOUTH AMBOY

COMMENTS:

PUBLIC COMMENTS:

ADJOURNMENT OF MEETING:

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION # 172-2014

**A Resolution Consenting to the Proposed Water Quality Management (WQM) Plan
Amendment Entitled: Future Wastewater Service Area (FWSA) Map
For Middlesex County, New Jersey**

WHEREAS, the Middlesex County Board of Chosen Freeholders desire to provide for the orderly development of wastewater facilities within Middlesex County; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with and approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on October 20, 2014 for the future Wastewater Service Area (FWSA) map has been prepared by The Middlesex County Office of Planning;

NOW, THEREFORE, BE IT RESOLVED on this 17th day of December, 2014, by the governing body of The City of South Amboy that:

1. The City of South Amboy hereby consents to the amendment entitled Future Wastewater Service Area (FWSA) Map, and publicly noticed on October 20, 2014, prepared by the Middlesex County of Planning, for the purpose of its incorporation into the applicable WQM plan(s)
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4 and to the Middlesex County Office of Planning, Division of Comprehensive Planning and the Environment.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on December 17, 2014.

LAURA KEMBLE-KALANTSIS
Acting Municipal Clerk

	Moved	Seconded	Ayes	Nays	Abstain	Absent
Applegate						
Dato						
Gross						
Noble						
Connors						

**City of South Amboy
County of Middlesex**

RESOLUTION NO. 173-2014

**RESOLUTION INCREASING THE MAXIMUM AMOUNT FOR
VALUATION, CONSULTING AND APPRAISAL SERVICES AND
AMENDING RESOLUTION NO. 89-2014**

WHEREAS, the South Amboy City Council adopted Resolution No. 66-2012, awarding the contract for Fair and Open Process for Valuation Consulting Appraisal Services, including Tax Appeals to Value Research Group, LLC, in the amount of \$5,000.00; and

WHEREAS, by Resolution No. 145-2013 the maximum amount under the contract was increased to \$6,000.00; and

WHEREAS, Resolution No. 185-2013 increased the maximum amount to be paid under the contract to a total of \$26,000.00; and

WHEREAS, Resolution No. 89-2014 increased the maximum amount to be paid under the contract to a total of \$33,500.00.

WHEREAS, additional services are necessary by the professionals; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available, as evidenced by the Chief Financial Officer's Certification, attached;

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED by the Council of the City of South Amboy, Middlesex County, State of New Jersey, that Resolution No. 66-2012 is hereby amended to increase the maximum amount to be paid under the contract to \$50,000.00.

Joseph E. Connors, Council President

I certify the foregoing to be a true copy of a Resolution adopted by the South Amboy City Council at a meeting held on

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION #174-2014

**RESOLUTION AMENDING THE AWARD OF A CONTRACT
FOR THE CITY HALL BACKDOOR REPLACEMENT PROJECT**

WHEREAS, the City of South Amboy awarded the Contract to for the City Hall Backdoor Replacement Project; and

WHEREAS, the Project Engineer Feist Engineering, Mark Rasmowicz has recommended a Change Order, attached; and

WHEREAS, the original amount of the Contract was \$18,100.00; and

WHEREAS, it is necessary to remove and/or reduce unnecessary bid items and quantities from the contract; and

WHEREAS, the Project Engineer inspected the project and recommends that the total contract price be increased by \$785.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of South Amboy, Middlesex County, New Jersey, as follows:

1. Change Order approved by the Project Engineer on November 17, 2014, and attached is hereby approved and the new total contract price is \$18,885.00.
2. The Mayor or Business Administrator is hereby directed to execute Change Order.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on December 17, 2014.

LAURA KEMBLE-KALANTSIS
Acting Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE						
DATO						
GROSS						
NOBLE						
CONNORS						



November 17, 2014

City of South Amboy
Mary Sue Felice, Purchasing
140 North Broadway
South Amboy, New Jersey 08879

RE: FEI No. SA-2014
PO No. 14-00725
City Hall Backdoor Replacement Project
City of South Amboy, Middlesex County, New Jersey
Recommendation of Change Order No. 1

Dear Ms. Felice,

Attached, please find Change Order No. 1 in the amount of \$785.00 from Midway Glass & Metal Installers, Inc. for additional work items needed on the noted project. It is our recommendation that this change order be issued and request that it be processed at your earliest convenience.

If you have any questions regarding this matter, please do not hesitate to contact me.

Very truly yours,

Mark J. Rasimowicz, PE, PP, CME
City Engineer

MJR/dh

C: Camille Tooker, Business Administrator
Laura Kalantsis, Acting City Clerk



City of South Amboy

140 North Broadway • South Amboy, New Jersey 08879

Phone: (732) 727-4600 Fax: (732) 727-6139

CERTIFICATION OF AVAILABILITY OF FUNDS

	Date	11/18/2014
	Reso #	
Purchase Order	Number	14-00725

I hereby certify that sufficient funds are available for the following:

Vendor: **Midway Glass & Metal Installers, Inc.**

For: **Change Order #1 City Hall Backdoor Re**

Amount: **\$785.00**

Funds for certification are, therefore, being made available and certified against the following appropriation:

Account #(s) C-04-13-002-002

T. O'Neill, Chief Financial Officer

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION# 175-2014

WHEREAS, N.J.S.A. 40A:5-17-1 provides that a municipality may authorize the processing of tax refunds of less than Ten (\$10.00) Dollars and the cancellation of tax delinquencies of less than Ten (\$10.00) Dollars;

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED by the Council of the City of South Amboy, Middlesex County, New Jersey, that the Tax Collector is hereby authorized to process, without any further action on the part of the Governing Body, any property tax refund of less than Ten (\$10.00) Dollars; and

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to process, without further action on the part of the Governing Body, the cancellation of any property tax delinquency of less than Ten (\$10.00) Dollars; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be provided by the Municipal Clerk to the Tax Collector and Chief Financial Officer.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution ~~a Resolution~~ adopted by the Governing Body on December 17, 2014.

LAURA KEMBLE-KALANTSIS
Acting Municipal Clerk

	Moved	Seconded	Ayes	Nays	Abstain	Absent
Applegate						
Dato						
Gross						
Noble						
Connors						

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION # 176-2014

WHEREAS, Hershal Hathcock, 42 Pupek Road in the City of South Amboy, County of Middlesex, Block 154 Lot 21, on the tax map applied for a Disabled property tax deductions for the year 2014, and;

WHEREAS, the applicant completed the application and provided the appropriate documentation for the allowance of the deduction and the application is on file in the tax office, and;

WHEREAS, the tax collector recommends that \$250.00 Disabled Deduction for Hershal Hathcock be allowed for in 2014, and;

WHEREAS, the Tax Collector has certifies the property taxes for 2014 have been paid; and

NOW, THEREFORE, BE IT RESOLVED by the Council of City of South Amboy, Middlesex County, New Jersey that the, Chief Financial Officer is hereby authorized to refund \$250.00 for Hershal Hathcock for 2014 and the Tax Assessor adjust the tax duplicate for 2015.

FURTHER, BE IT RESOLVED that the City Clerk serve certified copies of this resolution upon the Tax Collector and Tax Assessor.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on December 17, 2014.

LAURA KEMBLE-KALANTSIS
Acting Municipal Clerk

	Moved	Seconded	Ayes	Nays	Abstain	Absent
Applegate						
Dato						
Gross						
Noble						
Connors						

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION # 177-2014

WHEREAS, Barbara T Lang, 138 Second St in the City of South Amboy County of Middlesex, Block 60 Lot 5.01 C03 on the tax map applied for a Senior Citizen property tax deductions for the year 2014, and;

WHEREAS, the applicant completed the application and provided the appropriate documentation for the allowance of the deduction and the application is on file in the tax office, and;

WHEREAS, the tax collector recommends that \$250.00 Senior Citizen Deduction for Barbara T Lang be allowed for in 2014, and;

WHEREAS, the Tax Collector has certifies the property taxes for 2014 have been paid; and

NOW, THEREFORE, BE IT RESOLVED by the Council of City of South Amboy, Middlesex County, New Jersey that the, Chief Financial Officer is hereby authorized to refund \$250.00 for Barbara T Lang for 2014 and the Tax Assessor adjust the tax duplicate for 2015.

FURTHER, BE IT RESOLVED that the City Clerk serve certified copies of this resolution upon the Tax Collector and Tax Assessor.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on December 17, 2014.

LAURA KEMBLE-KALANTSIS
Acting Municipal Clerk

	Moved	Seconded	Ayes	Nays	Abstain	Absent
Applegate						
Dato						
Gross						
Noble						
Connors						

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION # 178-2014

WHEREAS, Joseph Toscano, 444 Wilmont Street in the City of South Amboy, County of Middlesex, Block 145 Lot 12 on the tax map applied for a Disabled property tax deductions for the year 2014, and;

WHEREAS, the applicant completed the application and provided the appropriate documentation for the allowance of the deduction and the application is on file in the tax office, and;

WHEREAS, the tax collector recommends that \$250.00 Disabled Deduction for Joseph Toscano be allowed for in 2014, and;

WHEREAS, the Tax Collector has certifies the property taxes for 2014 have been paid; and

NOW, THEREFORE, BE IT RESOLVED by the Council of City of South Amboy, Middlesex County, New Jersey that the Chief Financial Officer is hereby authorized to refund \$250.00 to Joseph Toscano for 2014 and the Tax Assessor adjust the tax duplicate for 2015.

FURTHER, BE IT RESOLVED that the City Clerk serve certified copies of this resolution upon the Tax Collector and Tax Assessor.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on December 17, 2014.

LAURA KEMBLE-KALANTSIS
Acting Municipal Clerk

	Moved	Seconded	Ayes	Nays	Abstain	Absent
Applegate						
Dato						
Gross						
Noble						
Connors						

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

**RESOLUTION #179-2014
RESOLUTION APPROVING AMENDMENT TO CONTRACT
STATE CONTRACT #A82527 FOR TIRE PURCHASE AND REPAIR**

WHEREAS, the City of South Amboy awarded a contract to Custom Bandag, Inc., 625 Prospect Ave., Keyport, New Jersey, 07735, under Resolution No. 33-2014 in the amount not to exceed \$15,000.00; and

WHEREAS, additional services were necessary in the amount of \$2,000.00;

WHEREAS, the said company provided services to the City of South Amboy in accordance with the aforesaid Resolution and the Contract;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Council of the City of South Amboy, County of Middlesex, State of New Jersey, as follows:

1. The amendment to the Contract for Tire Repair and Purchase, referenced above is hereby approved to increase the maximum amount to be paid under the Contract to \$17,000.00.

2. The Mayor and City Clerk are authorized and directed to sign the Amended Contract on behalf of the City.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on December 17, 2014.

LAURA KEMBLE-KALANTSIS
Acting Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE						
DATO						
GROSS						
NOBLE						
CONNORS						



City of South Amboy

140 North Broadway • South Amboy, New Jersey 08879

Phone: (732) 727-4600 Fax: (732) 727-6139

CERTIFICATION OF AVAILABILITY OF FUNDS

	Date	12/1/2014
	Reso #	
Purchase Order	Number	<u>14-00032</u>

I hereby certify that sufficient funds are available for the following:

Vendor: Custom Bandag, Inc.

For: Maintenance of Vehicle Tires

Amend Reso #33-2014

Amount: \$2,000.00

Funds for certification are, therefore, being made available and certified against the following appropriation:

Account #(s) 4-01-26-315-235
Vehicle Maint: Tires & Tubes

T. O'Neill, Chief Financial Officer

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

**RESOLUTION #180-2014
RESOLUTION APPROVING AMENDMENT TO CONTRACT
STATE CONTRACT #A82770 FOR DIESEL FUEL**

WHEREAS, the City of South Amboy awarded a contract to Allied Oil, LLC, PO Box 392 Manville, New Jersey, 08835, under Resolution No. 32-2014 in the amount not to exceed \$43,000.00; and

WHEREAS, additional services were necessary in the amount of \$2,000.00;

WHEREAS, the said company provided services to the City of South Amboy in accordance with the aforesaid Resolution and the Contract;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Council of the City of South Amboy, County of Middlesex, State of New Jersey, as follows:

1. The amendment to the Contract for Diesel Fuel, referenced above is hereby approved to increase the maximum amount to be paid under the Contract to \$45,000.00.
2. The Mayor and City Clerk are authorized and directed to sign the Amended Contract on behalf of the City.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on December 17, 2014.

LAURA KEMBLE-KALANTSIS
Acting Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE						
DATO						
GROSS						
NOBLE						
CONNORS						



City of South Amboy

140 North Broadway • South Amboy, New Jersey 08879

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Fax: (732) 727-6139

CERTIFICATION OF AVAILABILITY OF FUNDS

	Date	12/2/2014
	Reso #	
Purchase Order	Number	<u>14-00033</u>

I hereby certify that sufficient funds are available for the following:

Vendor: Allied Oil Company

For: Diesel Fuel

Amend Resolution #32-2014

Amount: \$2,000.00

Funds for certification are, therefore, being made available and certified against the following appropriation:

Account #(s) 4-01-31-430-250
Utilities: Gasoline



T. O'Neill, Chief Financial Officer

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION #181-2014

WHEREAS, there is a need to purchase a 2014 Chevrolet Caprice Police Patrol Vehicle; and

WHEREAS, this can be purchased through State Contract No.82926; and

WHEREAS, the maximum amount of the purchase is \$36,000.71 and funds are available;
and

WHEREAS, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A. 40A:11-12, of the Local Public Contracts Law;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Council of the City of South Amboy, County of Middlesex, State of New Jersey, that the Business Administrator and Chief Financial Officer are hereby authorized and directed to purchase a 2014 Chevrolet Caprice Police Patrol Vehicle from Day Chevrolet, Inc., 1600 Golden Mile Highway, Monroeville, PA 15146 in the maximum amount of \$36,000.71.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on December 17, 2014.

LAURA KEMBLE-KALANTZIS
Acting Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
Applegate						
Dato						
Gross						
Noble						
Connors						



City of South Amboy

140 North Broadway - South Amboy, New Jersey 08879

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CERTIFICATION OF AVAILABILITY OF FUNDS

	Date	11/25/2014
	Reso #	
Purchase Order	Number	<u>14-01473</u>

I hereby certify that sufficient funds are available for the following:

Vendor: Day Chevrolet, Inc.

For: Police Vehicle

Amount: \$36,000.71

Funds for certification are, therefore, being made available and certified against the following appropriation:

Account #(s)	T-14-14-000-001	\$35,343
	MCIA 2014 Chev Caprice Patrol Vehicles	
	4-01-25-240-299	\$657.75
	Police Miscellaneous Other Expense	

T. O'Neill, Chief Financial Officer

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION #182-2014

WHEREAS, there is a need to purchase a 2014 Chevrolet Caprice Vehicle; and

WHEREAS, this can be purchased through State Contract No.82926; and

WHEREAS, the maximum amount of the purchase is \$79,979.56 and funds are available;
and

WHEREAS, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A. 40A:11-12, of the Local Public Contracts Law;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Council of the City of South Amboy, County of Middlesex, State of New Jersey, that the Business Administrator and Chief Financial Officer are hereby authorized and directed to purchase a 2014 Chevrolet Caprice Vehicle from Day Chevrolet, Inc., 1600 Golden Mile Highway, Monroeville, PA 15146 in the maximum amount of \$79,979.56.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on December 17, 2014.

LAURA KEMBLE-KALANTZIS
Acting Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
Applegate						
Dato						
Gross						
Noble						
Connors						



City of South Amboy

140 North Broadway • South Amboy, New Jersey 08879

Phone: (732) 727-4600 Fax: (732) 727-6139

CERTIFICATION OF AVAILABILITY OF FUNDS

	Date	11/25/2014
	Reso #	
Purchase Order	Number	<u>14-01472</u>

I hereby certify that sufficient funds are available for the following:

Vendor: Day Chevrolet, Inc.

For: Police Vehicles

Amount: \$79,979.56

Funds for certification are, therefore, being made available and certified against the following appropriation:

Account #(s)	T-14-14-000-001	\$79,980
	MCIA 2014 Chev Caprice Patrol Vehicles	


T. O'Neill, Chief Financial Officer

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION #183-2014

WHEREAS, there is a need to purchase a 2015 Ford F-450 Cab & Chassis; and

WHEREAS, this can be purchased through State Contract No.A83559; and

WHEREAS, the maximum amount of the purchase is \$51,265.00 and funds are available;
and

WHEREAS, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A. 40A:11-12, of the Local Public Contracts Law;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Council of the City of South Amboy, County of Middlesex, State of New Jersey, that the Business Administrator and Chief Financial Officer are hereby authorized and directed to purchase a 2015 Ford F-450 Cab & Chassis from Chas S. Winner Ford, 250 Haddonfield-Berlin Rd., Cherry Hill, NJ 08034 in the maximum amount of \$51,265.00

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on December 17, 2014.

LAURA KEMBLE-KALANTSIS
Acting Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
Applegate						
Dato						
Gross						
Noble						
Connors						



City of South Amboy

140 North Broadway * South Amboy, New Jersey 08879

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CERTIFICATION OF AVAILABILITY OF FUNDS

	Date	12/1/2014
	Reso #	
Purchase Order	Number	<u>14-01481</u>

I hereby certify that sufficient funds are available for the following:

Vendor: Chas S. Winner, Inc.

For: 2015 Ford F450 Cab & Chassis

Amount: \$51,265.00

Funds for certification are, therefore, being made available and certified against the following appropriation:

Account #(s) C-04-14-001-002
Refuse Containers/Dump Truck/Body

T. O'Neill, Chief Financial Officer

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION #184-2014

**RESOLUTION AMENDING THE AWARD OF A CONTRACT
FOR THE WATERFRONT WALKWAY AND SEAWALL**

WHEREAS, the City of South Amboy awarded the Contract to D&S Land Development, LLC., for the Waterfront Walkway and Seawall, Superstorm Sandy Reconstruction Project; and

WHEREAS, the Project Engineer Feist Engineering, Mark Rasmowicz has recommended a Change Order, attached; and

WHEREAS, the original amount of the Contract was \$1,592,580.00; and

WHEREAS, it is necessary to remove and/or reduce unnecessary bid items and quantities from the contract; and

WHEREAS, the Project Engineer inspected the project and recommends that the total contract price be increased by \$121,596.70; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of South Amboy, Middlesex County, New Jersey, as follows:

1. Change Order approved by the Project Engineer on December 15, 2014, and attached is hereby approved and the new total contract price is \$1,714,176.70.
2. The Mayor or Business Administrator is hereby directed to execute Change Order.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on December 17, 2014.

LAURA KEMBLE-KALANTSIS
Acting Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE						
DATO						
GROSS						
NOBLE						
CONNORS						



City of South Amboy

140 North Broadway • South Amboy, New Jersey 08879

Phone: (732) 727-4600

Fax: (732) 727-6139

CERTIFICATION OF AVAILABILITY OF FUNDS

	Date	12/16/2014
	Reso #	
Purchase Order	Number	<u>14-00242</u>

I hereby certify that sufficient funds are available for the following:

Vendor: **D&S Land Development, LLC**

For: **Change Order #1**

Amount: **\$121,596.70**

Funds for certification are, therefore, being made available and certified against the following appropriation:

Account #(s) C-04-13-001-001
Reconstruction - Walkway & Seawall


T. O'Neill, Chief Financial Officer



Jan Bud

RECEIVED

DEC 15 2014

BY: _____

December 15, 2014

City of South Amboy
Camille Tooker, Business Administrator
140 North Broadway
South Amboy, New Jersey 08879

RE: FEI No. SA-13-007-01
PO No. 14-00242
Waterfront Walkway & Seawall
Superstorm Sandy Reconstruction Project
City of South Amboy, Middlesex County, New Jersey
Recommendation of Payment # 7, Change order #1

Dear Ms. Tooker:

Attached you will find three copies of change order #1 in the amount of \$121,596.70 for the above noted project, signed by the contractor and this office. Kindly have this item placed on the next available Agenda for action by the City Council. Once fully executed, please return one copy to this office, one to the contractor, and keep one for your file.

Also attached, please find a copy of the contractor's invoice dated November 30, 2014, and our spread sheet prepared for this project. Our office has inspected the completed work with regard to the invoice submitted and finds same to be satisfactorily completed. Consequently, our office recommends issuance of Payment No. 7 - in the amount of \$127,593.75 to D&S Land Development LLC. Kindly have this item placed on the next available Agenda for action by the City Council.

If you should you have any questions or require further information regarding this matter, please contact our office.

Very Truly Yours,

Mark J. Rasimowicz, PE, PP, CME
City Engineer

MJR/mevd

CC: ✓ Laura Kalantsis, Deputy City Clerk
Mary Sue Felice, Purchaser (original enclosures)
David Simin, D&S Land Development LLC

APPLICATION AND CERTIFICATE FOR PAYMENT

PAGE ONE OF 4 PAGES

TO OWNER:		PROJECT:	Waterfront Walkway & Sea Wall	APPLICATION #:	7	Distribution to:
City of South Amboy		Superstorm Sandy Reconstruction		PERIOD TO 11/30/2014		
140 North Broadway		City of South Amboy		PROJECT NOS: FEI No. SA-13-007-01		<input type="checkbox"/> Owner
South Amboy, NJ 08879		Middlesex County, NJ		CONTRACT DATE: 02/05/14		<input type="checkbox"/> Const. Mgr
FROM CONTRACTOR:		VIA ARCHITECT:				<input type="checkbox"/> Architect
D & S LAND DEVELOPMENT LLC		Feist Engineering				<input type="checkbox"/> Contractor
14 OVERBROOK ROAD		481 Spotswood Englishtown Road				
RAMSEY, NJ 07466		Monroe Township, NJ 08831-3223		P.O. No.: 14-00242		
		Attention: Mr. Mark Daniels				

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM-----
2. Net change by Change Orders-----\$
3. CONTRACT SUM TO DATE (Line 1 +/- 2)
4. TOTAL COMPLETED & STORED TO DATE-\$

\$	1,592,580.00
\$	121,596.70
\$	1,714,176.70
	1,721,197.99

5. RETAINAGE:

- a. ☐ of Completed Work
(Columns D+E on Continuation Sheet)
- b. ☐ of Stored Material
(Column F on Continuation Sheet)

Total Retainage (Line 5a + 5b or

Total in Column 1 of Continuation Sheet-----

6. TOTAL EARNED LESS RETAINAGE-----

(Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT

(Line 6 from prior Certificate)-----

8. CURRENT PAYMENT DUE-----

9. BALANCE TO FINISH, INCLUDING RETAINAGE

(Line 3 less Line 6)

\$	34,423.96
\$	1,686,773.75

\$	1,559,180.00
\$	127,593.75

\$ 27,402.95

CONTRACTOR:

By: [Signature]

Date: 12/1/14

State of: New Jersey

County of: Sussex

Subscribed and sworn to before

me this 1st day of Dec-14

Notary Public: [Signature]

My Commission expires: 07/20/15

CERTIFICATE FOR PAYMENT

In accordance with Contract Documents, based on on-site observations and the data comprising application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ----- \$ 127,593.75

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner of Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total approved this Month		
TOTALS		
NET CHANGES by Change Order		

CONTINUATION SHEET

ATTACHMENT TO PAY APPLICATION

Page 3 of 4 Pages

Waterfront Walkway & Sea Wall
Superstorm Sandy Reconstruction - City of South Amboy
P.O. No.: 14-00242

APPLICATION NUMBER: 7

APPLICATION DATE: 12/01/14

PERIOD TO: 11/30/14

ARCHITECT'S PROJECT NO: FEI No. SA-13-007-01

A Item No.	B Description of Work	C Scheduled Value		D Work Completed From Previous Application (D + E)		E This Period		F Materials Presently Stored (Not In D or E)	G Total Completed And Stored To Date (D + E + F)	H Balance To Finish (C - G)	I Retainage
29	Refuse Receptacle (4 Units @ \$1,800.00)	\$ 7,200.00	\$ 7,200.00						\$ 7,200	\$ -	
30	Architectural Face Brick (250 sf @ \$15.00)	\$ 3,750.00	\$ 2,850.00						\$ 2,850	\$ 900.00	
31	Concrete Wall Coping (35 sf @ \$80.00)	\$ 2,800.00	\$ 2,800.00						\$ 2,800	\$ -	
32	1" Rigid Non-Metallic Conduit (1,435 lf @ \$7.00)	\$ 10,045.00	\$ 9,254.15						\$ 9,254	\$ 790.85	
33	Junction Box (2 Units @ \$350.00)	\$ 700.00	\$ 700.00						\$ 700	\$ -	
34	Service Wire, No. 10 AWG (4,295 lf @ \$4.00)	\$ 17,180.00	\$ 17,180.00						\$ 17,180	\$ -	
35	Ground Wire, No. 12 AWG (1,435 lf @ \$2.00)	\$ 2,870.00	\$ 2,870.00						\$ 2,870	\$ -	
36	Bollard Light (14 Units @ \$1,825.00)	\$ 25,550.00	\$ 25,550.00						\$ 25,550	\$ -	
37	Topsailing, 4" Thick (2,250 sy @ \$5.50)	\$ 12,375.00	\$ 7,288.00			\$5,087.00			\$ 12,375	\$ -	
38	Sandy Topsailing, 12" Thick (8,805 sy @ \$15.00)	\$ 132,075.00	\$ 132,075.00						\$ 132,075	\$ -	
39	Fertilizing and Seeding, Type 'GU' (1,205 sy @ \$1.00)	\$ 1,205.00	\$ 602.50			\$602.50			\$ 1,205.00	\$ -	
40	Fertilizing and Seeding, Type 'DB' (1,045 sy @ \$1.00)	\$ 1,045.00	\$ 522.50			\$522.50			\$ 1,045	\$ -	
41	Straw Mulching (2,250 sy @ \$0.10)	\$ 225.00	\$ -			\$225.00			\$ 225	\$ -	
42	No. 57 Stone Mulching, 3" Thick (lf & Where Directed) (200 sy @ \$8.00)	\$ 1,600.00	\$ -						\$ -	\$ 1,600.00	
43	Shredded Hardwood Bark Mulching, 3" thick (lf and Where Directed) (200 sy @ \$8.00)	\$ 1,600.00	\$ 14,400.00						\$ 14,400	\$ (12,800.00)	
44	Amelanchier Canadensis (Shadblow Service Berry), 7'-8', B&B (3 unit @ \$200.00)	\$ 600.00	\$ -						\$ -	\$ 600.00	
45	Magnolia Virginiana (Sweetbay Mangolia), 7'-8', B&B (3 unit @ \$200.00)	\$ 600.00	\$ -						\$ -	\$ 600.00	
46	Ilex Opaca (American Holly), 5'-6', Container (1 unit @ \$200.00)	\$ 200.00	\$ -						\$ -	\$ 200.00	
47	Juniperus Virginiana (Eastern Red Cedar), 7'-8', B&B (4 unit @ \$250.00)	\$ 1,000.00	\$ -						\$ -	\$ 1,000.00	
48	Pinus Thumbergiana (Japanese Black Pine), 7'-8', B&B unit @ \$225.00	\$ 1,800.00	\$ -						\$ -	\$ 1,800.00	
49	Prunus Maritima (Beach Plum), 3'-5', B&B (16 unit @ \$50.00)	\$ 800.00	\$ 1,150.00						\$ 1,150.00	\$ (350.00)	
50	Hydrangea Macophylla (Bigleaf Hydrangea), 18"-24", Container (21 unit @ \$22.00)	\$ 462.00	\$ 462.00						\$ 462.00	\$ -	
51	Myrica Pennsylvanica (Bayberry), 24"-30", Container unit @ \$22.00	\$ 330.00	\$ 396.00						\$ 396.00	\$ (66.00)	
SUBTOTALS PAGE 3		\$ 1,455,247.00	\$ 1,501,803.39	\$ 8,601.00	\$ -				\$ 1,510,404.79	\$ (36,442.39)	

NJ Department of Labor & Workforce Dev
Division of Wage and Hour Compliance
Public Contracts Section
P.O. Box 389
Trenton, New Jersey 08625-0389

Trenton, New Jersey 08625-0389

Fill-in-able downloadable form available at www.Download-Construction-Forms.com

PAYROLL CERTIFICATION FOR PUBLIC WORKS PROJECTS

(for Contractor and Sub-Contractor's Use for Weekly and Final Certification)
(N.J.A.C. 12:60-2.1 and 6.1)

NJ Department of Labor & Workforce Development
Division of Wage and Hour Compliance
Public Contracts Section
P.O. Box 389
Trenton, New Jersey 08625-0389

Submit to Public Body or Lessor

NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>		ADDRESS		DATE WAGES DUE AND PAID	
D & S Land Development LLC-17169		14 Overbrook Road, Ramsey, NJ 07446		11/26/2014	
PAYROLL NO. WEEK ENDING OR FINAL CERTIFICATION		PROJECT NAME AND LOCATION			
11/22/14		Water Front Walkway & Sea Wall Const. South Amboy, NJ			

1. NAME AND ADDRESS OF EMPLOYEE	2. WORK CLASSIFICATION	3. DAY AND DATE								4. TOTAL HOURS PER WEEK	5. GROSS AMOUNT EARNED	7. DEDUCTIONS					8. NET WAGES PAID FOR WEEK	9. Total Fringe Benefit Cost/Hr	
		HOURS WORKED EACH DAY										FICA	WITH- HOLDING TAX	Fed	State	DBL/S UI			TOTAL DEDUC- TIONS
		11	11	11	11	11	11	11	11										
Paulo Duarte 201 Whitehead Avenue-Apt.1 South River, NJ 08882	Laborer	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.00	40.00	2449.20	187.36	542.43	126.83	856.62	1592.58	25.28		
Ryan Kirchner 89 Ridge Road Oakridge, NJ 07438	Operator									66.48						29.33			
John Bryceland 526 Elm Street Apt. 6 Kearny, NJ 07032	Operator									66.48						29.33			
William Wiesmeth 16 Echo Lane West Milford, NJ 07480	Driver									53.70						26.48			
Thomas Raymond 215 Buena Vista Drive Ringwood, NJ 07456	Operator									45.07						29.33			
Antonio Mendes 31 Cleveland Avenue South River, NJ 08882	Operator									66.48	1802.80	137.91	231.71	50.14	419.76	1383.04	29.33		

PAYROLL CERTIFICATION FOR PUBLIC WORKS PROJECTS
(for Contractor and Sub-Contractor's Use for Weekly and Final Certification)
(N.J.A.C. 12:60-2.1 and 6.1)

NJ Department of Labor & Workforce Development
Division of Wage and Hour Compliance
Public Contracts Section
P.O. Box 389
Trenton, New Jersey 08625-0389

Submit to Public Body or Lessor

NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>	ADDRESS	DATE WAGES DUE AND PAID
D & S Land Development LLC-17169	14 Overbrook Road, Ramsey, NJ 07446	11/26/2014
PAYROLL NO. <input type="checkbox"/> WEEK ENDING OR FINAL CERTIFICATION <input type="checkbox"/>	PROJECT NAME AND LOCATION	PROJECT OR E.D.A. OR U.D.C. NO.
11/15/14	Water Front Walkway & Sea Wall Const: South Amboy, NJ	51136

1. NAME AND ADDRESS OF EMPLOYEE	2. WORK CLASSIFICATION	3. DAY AND DATE										4. TOTAL HOURS	5. RATE OF PAY	6. GROSS AMOUNT EARNED		7. DEDUCTIONS					8. NET WAGES PAID FOR WEEK	9. Total Fringe Benefit Cost/Hr	
		HOURS WORKED EACH DAY							THIS PROJECT	THIS WEEK	FICA			WITH- HOLDING TAX	Fed	State	DB/US UI	TOTAL DEDUC- TIONS					
		11	11	11	11	11	11	0															
		10	11	12	13	14	15	0															

PAYROLL CERTIFICATION FOR PUBLIC WORKS PROJECTS
(for Contractor and Subcontractor's Use for Weekly and Final Certification)
(N.J.A.C. 12:60-2.1 and 6.1)

LWD

NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input checked="" type="checkbox"/>		ADDRESS		DATE WAGES DUE		DATE WAGES PAID	
Down to Earth Landscaping, Inc Contractor ID#95530		705 Wright-Debow Road Jackson, NJ 08527		December 5, 2014		December 5, 2014	
PAYROLL NO.	WEEK ENDING OR FINAL CERTIFICATION	PROJECT NAME AND LOCATION		CONTRACTOR REGISTRATION NUMBER			
9	1/29/2014	South Amboy Seawall South Amboy, NJ		62466B			

1. NAME AND ADDRESS OF EMPLOYEE	2. WORK CLASSIFICATION	3. DAY AND DATE HOURS WORKED EACH DAY	4. TOTAL HOURS	5. RATE OF DAY	6. GROSS AMOUNT EARNED		7. DEDUCTIONS				8. NET WAGES PAID FOR WEEK	9. Total Fringe Benefit Cost Tr.			
					This Project Only	Total Week	With- holding Tax	State Tax	Local Tax	Other			Total Deductions		
ARELLANO ZAPIEN, JUVENAL 540 GEORGIA TAVERN ROAD HOWELL, NJ 07731	LABORER	OT													
		ST	0	3.75	2.5	0	0	0	0	0	0	\$163.90	\$40.90	\$0.00	\$0.00
ARELLANO ZAPIEN, JUVENAL 540 GEORGIA TAVERN ROAD HOWELL, NJ 07731	OPER ENG - FARM TRACTOR	OT													
		ST	0	3	5	0	0	0	0	0	0	\$163.90	\$40.90	\$0.00	\$0.00
AVILA MOREN, RAMON U 16 YOFON LANE JACKSON, NJ 08527	LABORER	OT													
		ST	0	6.75	7.5	0	0	0	0	0	0	\$150.20	\$29.54	\$0.00	\$0.00
EVANS, GERMAIN 800 LAUREL STREET LAKEHURST, NJ 08733	DELIVERY DRIVER	OT													
		ST	0	1	0	0	0	0	0	0	0	\$50.46	\$10.50	\$0.00	\$0.00
MADRIGAL SANTOS 50 LAKEVIEW DRIVE NEW EGYPT, NJ 08533	LABORER	OT													
		ST	0	6.75	7.5	0	0	0	0	0	0	\$102.23	\$20.35	\$0.00	\$0.00
		OT													
		ST													
		OT													
		ST													

Questions? Please contact the Division of Wage and Hour Compliance at (609) 292-2259 or (609) 292-2283.

R-08-12-08

SUBMIT TO PUBLIC BODY OR LESSOR

PAYROLL CERTIFICATION FOR PUBLIC WORKS PROJECTS
(for Contractor and Subcontractor's Use for Weekly and Final Certification)
(N.J.A.C. 12:60-2.1 and 6.1)

LWD

NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input checked="" type="checkbox"/>		ADDRESS		DATE WAGES DUE		DATE WAGES PAID	
Down to Earth Landscaping, Inc Contractor ID#9550		705 Wright-Debow Road Jackson, NJ 08527		November 7, 2014		November 7, 2014	
PAYROLL NO.	WEEK ENDING OR FINAL CERTIFICATION	PROJECT NAME AND LOCATION		CONTRACTOR REGISTRATION NUMBER			
5	11/1/2014	South Amboy Seawall South Amboy, NJ		624668			

1. NAME AND ADDRESS OF EMPLOYEE	2. WORK CLASSIFICATION	3. DAY AND DATE Sun Mon Tue Wed Thu Fri Sat 10/26 10/27 10/28 10/29 10/30 10/31 11/1	4. TOTAL HOURS	5. RATE OF PAY	6. GROSS AMOUNT EARNED This Project Only	7. DEDUCTIONS				8. NET WAGES PAID FOR WEEK	9. Total Fringe Benefit Cost H.		
						Wife- holding Tax	FICA	State Tax	Local Tax			Other	Total Deductions
BERBER SANCHEZ, RAFAEL 35 MAGNOLIA AVENUE NEW EGYPT, NJ 08533	LABORER	OT											
		ST	0	0	0	0	0	0	0	0	0	0	0
DUSHKEVICH, ROBERT 301 MANHATTAN AVENUE SPOTSWOOD, NJ 08884	OPERATING ENGINEER - LDR	OT											
		ST	0	0	0	0	0	0	0	0	0	0	0
HAMPTON, ARTHUR C 1060 IRVING PLACE TOMS RIVER, NJ 08755	SUPERVISOR	OT											
		ST	0	0	0	0	0	0	0	0	0	0	0
ZAPIEN RODRIGUEZ, ESTEBAN 2401 E. LAKESHORE DRIVE BROWNS MILLS, NJ 08015	LABORER	OT											
		ST	0	0	0	0	0	0	0	0	0	0	0
		OT											
		ST											
		OT											
		ST											
		OT											
		ST											

Questions? Please contact the Division of Wage and Hour Compliance at (609) 292-2259 or (609) 292-2283.

R-08-12-08

SUBMIT TO PUBLIC BODY OR LESSOR

Pay Estimate
Waterfront Walkway & Sea Wall
Superstorm Sandy Reconstruction
City of South Ansbay, Middlesex County, NJ
FEI No. SA-13-007-01
Bids Received January 28, 2014

Pay Estimate										PAYMENT NUMBER 6										PAYMENT NUMBER 7									
Waterfront Walkway & Sea Wall										October 31, 2014										November 30, 2014									
Superstorm Sandy Reconstruction																													
City of South Amboy, Middlesex County, NJ																													
FEI No. SA-13-007-01																													
Bids Received January 28, 2014																													
ITEM NO.	ITEM DESCRIPTION				UNIT	CONTRACT QUANTITY	APPROVED QUANTITY	TOTAL QUANTITY	BID PRICE	CONTRACT COST	APPROVED C.O. COST	TOTAL COST	QUANTITY THIS PERIOD	QUANTITY REMAINING	TOTAL PAYMENT THIS PERIOD	QUANTITY THIS PERIOD	QUANTITY REMAINING	TOTAL PAYMENT THIS PERIOD	QUANTITY REMAINING	TOTAL PAYMENT THIS PERIOD									
1	Soil Erosion and Sediment Control				LS	1		1	\$15,000.00	\$15,000.00	\$0.00		0.25	0.00	\$3,750.00	0.00	0.00	\$0.00	0.00	\$0.00									
2	Maintenance and Protection of Vehicular and Pedestrian Traffic				LS	1		1	\$7,000.00	\$7,000.00	\$0.00		0.25	0.00	\$1,750.00	0.00	0.00	\$0.00	0.00	\$0.00									
3	Clearing Site				LS	1		1	\$385,095.00	\$385,095.00	\$0.00		832.68	0.00	\$15,988.24	0.00	2,848.72	\$15,988.24	0.00	\$0.00									
4	1-12" Soil Aggregate, Sandy Fill				Ton	8,570		8,570	\$18.00	\$154,260.00	\$0.00		0.00	0.00	\$154,260.00	0.00	0.00	\$0.00	0.00	\$0.00									
5	1-12" Soil Aggregate (If & Where Directed)				Ton	320		320	\$18.00	\$5,760.00	\$0.00		0.00	0.00	\$5,760.00	0.00	0.00	\$0.00	0.00	\$0.00									
6	Site Gravel				SY	17,308		17,308	\$0.30	\$5,192.40	\$0.00		0.00	0.00	\$5,192.40	0.00	0.00	\$0.00	0.00	\$0.00									
7	Dense Graded Aggregate Base Course, 6" Thick				SY	17,308		17,308	\$13.00	\$225,004.00	\$0.00		0.00	0.00	\$225,004.00	0.00	0.00	\$0.00	0.00	\$0.00									
8	Concrete Base Course, Reinforced, 8" Thick				SY	1,220		1,220	\$80.00	\$97,600.00	\$0.00		0.00	0.00	\$97,600.00	0.00	0.00	\$0.00	0.00	\$0.00									
9	Reinforced Concrete, Bridge Repairs				CV	12		12	\$400.00	\$4,800.00	\$0.00		0.00	0.00	\$4,800.00	0.00	0.00	\$0.00	0.00	\$0.00									
10	Reinforced Concrete, Curb-Off Wall				CV	136		136	\$200.00	\$27,360.00	\$0.00		0.00	0.00	\$27,360.00	0.00	0.00	\$0.00	0.00	\$0.00									
11	8" High Density Polyethylene Pipe				LF	45		45	\$40.00	\$1,800.00	\$0.00		0.00	0.00	\$1,800.00	0.00	0.00	\$0.00	0.00	\$0.00									
12	8" Underdrain				LF	195		195	\$26.00	\$5,070.00	\$0.00		0.00	0.00	\$5,070.00	0.00	0.00	\$0.00	0.00	\$0.00									
13	Rework and Restore Existing Rip-Rap Retention				SY	2,045		2,045	\$30.00	\$61,350.00	\$0.00		0.00	0.00	\$61,350.00	0.00	0.00	\$0.00	0.00	\$0.00									
14	Construct New Rip-Rap Retention				SY	880		880	\$30.00	\$26,400.00	\$0.00		0.00	0.00	\$26,400.00	0.00	0.00	\$0.00	0.00	\$0.00									
15	Primary Armor				Ton	2,673		2,673	\$45.00	\$120,285.00	\$0.00		295.04	0.00	\$13,277.60	0.00	0.00	\$0.00	0.00	\$0.00									
16	Secondary Armor				Ton	1,990		1,990	\$25.00	\$49,750.00	\$0.00		0.00	0.00	\$49,750.00	0.00	0.00	\$0.00	0.00	\$0.00									
17	Stone Caution				Ton	290		290	\$40.00	\$11,600.00	\$0.00		0.00	0.00	\$11,600.00	0.00	0.00	\$0.00	0.00	\$0.00									
18	Geotextile Fabric				SY	1,664		1,664	\$4.00	\$6,656.00	\$0.00		0.00	0.00	\$6,656.00	0.00	0.00	\$0.00	0.00	\$0.00									
19	Chain-Link Fence, 4' High (If & Where Directed)				TON	1,920		1,920	\$18.00	\$34,560.00	\$0.00		756.00	0.00	\$13,608.00	0.00	0.00	\$0.00	0.00	\$0.00									
20	Temporary Chain-Link Fence, 6' High				LF	225		225	\$25.00	\$5,625.00	\$0.00		0.00	0.00	\$5,625.00	0.00	0.00	\$0.00	0.00	\$0.00									
21	Snow Fence				LF	1,515		1,515	\$5.00	\$7,575.00	\$0.00		0.00	0.00	\$7,575.00	0.00	0.00	\$0.00	0.00	\$0.00									
22	Concrete Paver, Walkway				SP	10,980		10,980	\$7.50	\$82,350.00	\$0.00		1,305.00	0.00	\$9,787.50	0.00	210.00	\$1,575.00	0.00	\$0.00									
23	Project Identification Sign				UNIT	6		6	\$1,000.00	\$6,000.00	\$0.00		0.00	0.00	\$6,000.00	0.00	0.00	\$0.00	0.00	\$0.00									
24	Concrete Curb				LF	1,870		1,870	\$18.00	\$33,660.00	\$0.00		0.00	0.00	\$33,660.00	0.00	0.00	\$0.00	0.00	\$0.00									
25	Miscellaneous Concrete (If & Where Directed)				UNIT	10		10	\$2,000.00	\$20,000.00	\$0.00		0.00	0.00	\$20,000.00	0.00	0.00	\$0.00	0.00	\$0.00									
26	Par Bench				UNIT	4		4	\$2,000.00	\$8,000.00	\$0.00		0.00	0.00	\$8,000.00	0.00	0.00	\$0.00	0.00	\$0.00									
27	Artificial Face Brick				SP	250		250	\$15.00	\$3,750.00	\$0.00		0.00	0.00	\$3,750.00	0.00	0.00	\$0.00	0.00	\$0.00									
28	Concrete Wall Coping				SP	35		35	\$80.00	\$2,800.00	\$0.00		0.00	0.00	\$2,800.00	0.00	0.00	\$0.00	0.00	\$0.00									
29	1" Rigid Non-Metallic Conduit				LF	1,435		1,435	\$7.00	\$10,045.00	\$0.00		0.00	0.00	\$10,045.00	0.00	0.00	\$0.00	0.00	\$0.00									
30	Steel Box				UNIT	2		2	\$350.00	\$700.00	\$0.00		0.00	0.00	\$700.00	0.00	0.00	\$0.00	0.00	\$0.00									
31	Service Wire, No. 10 AWG				LF	4,295		4,295	\$4.00	\$17,180.00	\$0.00		0.00	0.00	\$17,180.00	0.00	0.00	\$0.00	0.00	\$0.00									
32	Ground Wire, No. 12 AWG				LF	1,435		1,435	\$2.00	\$2,870.00	\$0.00		0.00	0.00	\$2,870.00	0.00	0.00	\$0.00	0.00	\$0.00									
33	Ballast Light				UNIT	14		14	\$1,825.00	\$25,550.00	\$0.00		0.00	0.00	\$25,550.00	0.00	0.00	\$0.00	0.00	\$0.00									
34	Topsoiling, 4" Thick				SY	2,250		2,250	\$5.50	\$12,375.00	\$0.00		0.00	0.00	\$12,375.00	0.00	993.00	\$5,482.50	0.00	\$0.00									
35	Sandy Topsoiling, 12" Thick				SY	8,805		8,805	\$15.00	\$132,075.00	\$0.00		2,199.33	0.00	\$32,990.00	0.00	0.00	\$0.00	0.00	\$0.00									
36	Fertilizing and Seeding, Type DTP				SY	1,205		1,205	\$1.00	\$1,205.00	\$0.00		0.00	0.00	\$1,205.00	0.00	602.50	\$723.00	0.00	\$0.00									
37	Fertilizing and Seeding, Type DTP				SY	1,045		1,045	\$1.00	\$1,045.00	\$0.00		0.00	0.00	\$1,045.00	0.00	522.50	\$627.00	0.00	\$0.00									
38	Stem Mulching				SY	2,250		2,250	\$8.00	\$18,000.00	\$0.00		0.00	0.00	\$18,000.00	0.00	2,250.00	\$18,000.00	0.00	\$0.00									
39	No. 57 Stone Mulching, 3" Thick (If & Where Directed)				SY	200		200	\$90.00	\$18,000.00	\$0.00		1,600.00	0.00	\$14,400.00	0.00	0.00	\$0.00	0.00	\$0.00									
40	Shredded Hardwood Bark Mulch, 3" Thick (If & Where Directed)				SY	200		200	\$8.00	\$1,600.00	\$0.00		0.00	0.00	\$1,600.00	0.00	0.00	\$0.00	0.00	\$0.00									
41	Amphibious Conditions (Shadblow Serviceberry), 7'-8', B&B				UNIT	3		3	\$600.00	\$1,800.00	\$0.00		0.00	0.00	\$1,800.00	0.00	0.00	\$0.00	0.00	\$0.00									
42	Magnolia Virginiana (Sweetheart Magnolia), 7'-8', B&B				UNIT	3		3	\$600.00	\$1,800.00	\$0.00		0.00	0.00	\$1,800.00	0.00	0.00	\$0.00	0.00	\$0.00									
43	Ilex Opaca (American Holly), 5'-6', Container				UNIT	4		4	\$200.00	\$800.00	\$0.00		0.00	0.00	\$800.00	0.00	0.00	\$0.00	0.00	\$0.00									
44	Juniperus Virginiana (Eastern Red Cedar), 7'-8', B&B				UNIT	1		1	\$200.00	\$200.00	\$0.00		0.00	0.00	\$200.00	0.00	0.00	\$0.00	0.00	\$0.00									
45	Pinus Thunbergiana (Japanese Black Pine), 7'-8', B&B				UNIT	8		8	\$225.00	\$1,800.00	\$0.00		0.00	0.00	\$1,800.00	0.00	0.00	\$0.00	0.00	\$0.00									
46	Pinus Thunbergiana (Japanese Black Pine), 7'-8', B&B				UNIT	16		16	\$225.00	\$3,600.00	\$0.00		0.00	0.00	\$3,600.00	0.00	0.00	\$0.00	0.00	\$0.00									
47	Pinus Thunbergiana (Japanese Black Pine), 7'-8', B&B				UNIT	16		16	\$50.00	\$800.00	\$0.00		0.00	0.00	\$800.00	0.00	0.00	\$0.00	0.00	\$0.00									
48	Hydrangea Macrophylla (Blighted Hydrangea), 18"-24", Container				UNIT	21		21	\$22.00	\$462.00	\$0.00		0.00	0.00	\$462.00	0.00	0.00	\$0.00	0.00	\$0.00									

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

ORDINANCE # 12-2014

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER, LAND DEVELOPMENT, OF THE GENERAL ORDINANCES OF THE CITY OF SOUTH AMBOY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, CONCERNING GENERAL DEVELOPMENT PLANS, PLANNED DEVELOPMENTS AND RELATED DEFINITIONS

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Legislature has authorized municipalities to make, amend, repeal and enforce ordinances for the good government, order and protection of persons and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as necessary to carry into effect the powers and duties conferred and imposed by law; and

WHEREAS, pursuant to N.J.S.A. 40:55D-45 et seq. and N.J.S.A. 40:55-65(c) of the Municipal Land Use Law a municipality is authorized to adopt ordinances to provide for planned developments and for the approval of general development plans within planned developments; and

WHEREAS, the City of South Amboy desires to supplement and amend its Land Development ordinances with respect to provisions governing general development plans, planned development and related definitions and procedures.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH AMBOY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AS FOLLOWS:

Section 1. Chapter __ Land Development, Article __: General Provisions, Section __, Definitions, of the Revised General Ordinances of the City of South Amboy shall be and is hereby amended and supplemented to add the following definitions;

PLANNED DEVELOPMENT (PD) – A development for which a General Development Plan pursuant to N.J.S.A. 40:55D-45 et seq. and the City Ordinances has been obtained for an area with a contiguous or noncontiguous acreage of a parcel of land greater than 100 acres, or, any area with a contiguous or noncontiguous acreage of a parcel of land of 100 acres or less in size for which parcel the developer is seeking approval of a Planned Development pursuant to P.L.1975, c.291 (C.40:55D-1 et seq.), consisting of not less than 150,000 square feet of nonresidential floor area or not less than 100 residential dwelling units, or consisting of a combination of square feet of nonresidential floor area and residential dwelling

units, which when proportionately aggregated at a rate of 1,500 square feet of nonresidential floor area to one residential dwelling unit, are equivalent to at least 150,000 square feet of nonresidential floor area or 100 residential dwelling units as a single entity containing one or more structures with appurtenant common areas to accommodate commercial or office uses or both and any residential and other uses as may be permitted by this ordinance or by an applicable redevelopment plan adopted pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et seq. Further, a Planned Development shall also mean a Planned Commercial Development, a Planned Industrial Development, a Planned Unit Development provided it contains a minimum of 10 acres, and a Planned Unit Residential Development provided it contains a minimum of 5 acres as defined in N.J.S.A. 40:55-6 of the Municipal Land Use Law.

Section 2. Chapter ____, Land Development, Article ____: Application Requirements and Development Procedures, Section General Development Plan, of the Revised General Ordinances of the City of South Amboy shall be and is hereby amended and supplemented to read as follows:

Section 3. GENERAL DEVELOPMENT PLANS; APPROVAL OF PLANNED DEVELOPMENT.

1. General.

a. A General Development Plan ("GDP") is defined as a comprehensive plan for the development of a Planned Development. The purpose of the General Development Plan process is intended to be general in nature and to provide an increased flexibility desirable to promote mutual agreement between a developer and the Board regarding the basic scheme of a Planned Development and such matters should be considered in a general fashion, from the standpoint of probable feasibility, with a more detailed presentation deferred until the subsequent applications for preliminary site plan and/or subdivision approvals so long as there is sufficient information to satisfy the Board that the proposed Planned Development complies with the zoning requirements and would not cause an unreasonably adverse impact on the area.

b. Any developer of a parcel of land seeking approval of a Planned Development shall submit a General Development Plan to the Planning Board prior to the granting of any preliminary approval of that development by the Planning Board.

c. Approval of a General Development Plan, which shall specify land use types, density ranges and other pertinent site data for the entire tract, confers upon the applicant and the City such rights as set forth in N.J.S.A. 40:55D-45.1 et seq. for a period not to exceed twenty (20) years from the date upon which the developer receives final approval of the first section of the Planned Development with the following provisions:

1. The approved General Development Plan shall not be changed with regard to the maximum total dwelling units, density ranges and uses unless approved by the Planning Board as provided herein.

2. The general location and specifications for the approved major collector roads shall not be changed, unless approved by the Planning Board as provided herein.
 3. The General Development Plan shall set forth the permitted number of dwelling units, the amount of non-residential floor space, the residential density and the non-residential floor area ratio for the Planned Development, in its entirety, according to a schedule which sets forth the timing of the various sections of the development, prototypical concept plans of each housing type and site constraints. Except as otherwise provided for by the Municipal Land Use Law or any statute or regulation or ordinance adopted pursuant thereto, following the effective date of the approval, the Planned Development shall be developed in accordance with the General Development Plan approved by the Planning Board.
- d. The term of the effect of the General Development Plan approval shall be determined by the Planning Board using the guidelines set forth in this section and as may be allowed by law, except that the term of the effect of the approval shall not exceed twenty (20) years from the date upon which the developer receives final approval of the first section of the Planned Development pursuant to the Municipal Land Use Law.
- e. In making its determination regarding the duration of the effect of approval of the General Development Plan, the Planning Board shall consider: the number of dwelling units or amount of non-residential floor area to be constructed; prevailing economic conditions; the timing schedule to be followed in completing the development and the likelihood of its fulfillment; the developer's capability of completing the proposed development; the contents of the General Development Plan and any conditions which the Planning Board attaches to the approval thereof.
- f. The Planning Board shall grant or deny General Development Plan approval within 95 days after submission of a complete application to the administrative officer or within such further time as may be consented to by the applicant. Failure of the Planning Board to act within the period prescribed shall constitute General Development Plan approval of the Planned Development.
- g. If a General Development Plan requires any relief pursuant to N.J.S.A. 40:55D-70(c) or N.J.S.A. 40:55D-51, the applicant may at its election apply for and obtain such relief as part of its application for General Development Plan approval or as part of any subsequent application for preliminary or final site plan or subdivision approval. If a General Development Plan requires any relief pursuant to N.J.S.A. 40:55D-70(d), the applicant may at its election apply for and obtain such relief from the Zoning Board of Adjustment and/or make application directly to the Zoning Board of Adjustment for relief pursuant to N.J.S.A. 40:55D-70(d) and General Development Plan approval.
- h. Within an "area in need of redevelopment" designated in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the designated redeveloper who has entered into a redevelopment agreement with the designated redevelopment entity may at its option utilize the General Development Plan process as set forth in this ordinance for approval of a Planned Development. Upon approval of a General Development Plan, the redeveloper shall be vested with the benefits and burdened with the obligations applicable to General Development Plans pursuant to

N.J.S.A. 40:55D-45 et seq. and this ordinance. Redeveloper may, following approval of a General Development Plan and in accordance with the review and approval procedures applicable to the initial approval of the General Development Plan, amend such General Development Plan to encompass additional adjoining area for which it is or becomes the designated redeveloper but which was not included in the initial General Development Plan.

2. A General Development Plan application shall include the following submissions:

- A. A general land use plan indicating the tract area and general locations of the land uses to be included in the Planned Development. The total number of dwelling units and amount of nonresidential floor area to be provided and proposed land area to be devoted to residential and nonresidential use shall be set forth. In addition, the proposed types of nonresidential uses to be included in the Planned Development shall be set forth, and the land area to be occupied by each proposed use shall be estimated. The density and intensity of use of the entire Planned Development shall be set forth, and a residential density and a nonresidential floor area ratio shall be provided;
- B. A circulation plan showing the general location and types of transportation facilities, including facilities for pedestrian access within the Planned Development and any proposed improvements to the existing transportation system outside the Planned Development;
- C. An open space plan showing the proposed land area and general location of parks and any other land areas to be set aside for conservation and recreational purposes and a general description of improvements proposed to be made thereon, including a plan for the operation and maintenance of parks and recreational lands;
- D. A utility plan indicating the need for and showing the proposed location of sewage and waterlines, any drainage facilities necessitated by the physical characteristics of the site, proposed methods for handling solid waste disposal, and a plan for the operation and maintenance of proposed utilities;
- E. A stormwater management plan setting forth the proposed method of controlling and managing stormwater on the site;
- F. An environmental inventory including a general description of the vegetation, soils, topography, geology, surface hydrology, climate and cultural resources of the site, existing man-made structures or features and the probable impacts of the development on the environmental attributes of the site;
- G. A community facility plan indicating the scope and type of supporting community facilities which may include, but not be limited to, educational or cultural facilities, historic sites, libraries, hospitals, firehouses and police stations;

- H. A housing plan outlining the number of housing units to be provided and the extent to which any housing obligation assigned to the municipality pursuant to P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.) will be fulfilled by the development;
- I. A local service plan indicating those public services which the applicant proposes to provide and which may include, but not be limited to, water, sewer, cable and solid waste disposal;
- J. A fiscal report describing the anticipated demand on municipal services to be generated by the Planned Development and any other financial impacts to be faced by the municipality or school districts as a result of the completion of the Planned Development. The fiscal report shall also include a detailed projection of property tax revenues which will accrue to the county, municipality and school district according to the timing schedule provided under Subsection K below, and following the completion of the Planned Development in its entirety;
- K. A proposed timing schedule in the case of a Planned Development whose construction is contemplated over a period of years, including any terms or conditions which are intended to protect the interests of the public and of the residents who occupy any section of the Planned Development prior to the completion of the development in its entirety; and
- L. A municipal development agreement, which shall mean a written agreement between the municipality and a developer relating to the Planned Development or in the case of an "area in need of redevelopment" designated in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., a redevelopment agreement between the designated redeveloper and the redevelopment entity.

3. Required Findings for Approval of a Planned Development.

Prior to approval of a Planned Development the Planning Board shall find the following facts and conclusions:

- a. That departures by the proposed development from zoning regulations otherwise applicable to the subject property conform to the ordinance standards applicable to Planned Developments as set forth in this ordinance or to an applicable redevelopment plan or can be approved by way of the grant of variance relief;
- b. That the proposals for maintenance and conservation of the common open space are reliable, and the amount, location and purpose of the common open space are adequate;
- c. That provision through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic, and the amenities of light and air, recreation and visual enjoyment are adequate;
- d. That the proposed Planned Development will not have an unreasonably adverse impact upon the area in which it is proposed to be established;

e. In the case of a proposed development which contemplates construction over a period of years that the terms and conditions intended to protect the interests of the public and of the residents, occupants and owners of the proposed development in the total completion of the development are adequate.

4. Amendment, Revision or Modification of the General Development Plan.

a. Except as provided hereunder, following approval of a General Development Plan it may only be amended, revised or modified after application to, and approval by the Planning Board.

b. Any variation in the location of land uses or increase in density or floor area ratio which is proposed in reaction to a decision of, or condition of development approval imposed by the New Jersey Department of Environmental Protection (the NJDEP) or the United States Army Corps of Engineers shall be approved by the Planning Board if the developer can demonstrate to the satisfaction of the Planning Board, that the variation being proposed is a direct result of such determination by the NJDEP or the United States Army Corps of Engineers.

c. A developer, without violating the terms of the approved General Development Plan, may, in undertaking any section of the Planned Development, reduce the number of residential units or amounts of nonresidential floor space by no more than 15% or reduce the residential density or nonresidential floor area ratio by no more than 15%; provided, however, that a developer may not reduce the number of residential units to be provided pursuant to P.L.1985, c. 222 (C. 52:27D-301 et seq.), without prior City Council approval.

d. In the event that the developer seeks to modify the proposed timing schedule, such modification shall require the approval of the Planning Board. The Planning Board shall, in deciding whether or not to grant approval of the modification, take into consideration prevailing economic and market conditions, anticipated and actual needs for residential units and nonresidential space within the municipality and the region, and the availability and capacity of public facilities to accommodate the proposed development.

e. Any proposed amendment, revision or modification of an approved General Development Plan including the exception in 4(c) involving property within an "area in need of redevelopment" designated in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. the developer shall (i) first obtain the approval of the redevelopment entity, if and to the extent required by an applicable redevelopment agreement for such changes, or (ii) where such approval is not required, provide notice to the redevelopment entity, of the proposed amendment, revision or modification.

5. General Development Plan Completion.

a. Upon completion of each section of the development as set forth in the approved schedule of development of the General Development Plan, the developer shall notify the administrative officer, the City Clerk and the Secretary of the Planning Board, by certified mail, as evidence that the developer is

fulfilling his obligations under the approved plan. For the purpose of this section, "completion" of any section of the development shall mean that the developer has acquired a certificate of occupancy for every residential unit or every non-residential structure, as set forth in the approved General Development Plan and pursuant to N.J.S.A. 52:27D-133. However, such notice, completion and/or satisfaction shall not operate to release a redeveloper from the terms and requirements of its redeveloper agreement with the redevelopment entity. If the City Clerk and/or the Secretary of the Planning Board, do not receive such notification at the completion of any section of the development, the City Clerk and/or the Secretary of the Planning Board shall notify the developer, by certified mail, in order to determine whether or not the terms of the approved plan are being complied with. Failure of the City Clerk and/or the Secretary of the Planning Board to notify the developer shall impose no liability upon the City of South Amboy, the Planning Board or any of their agents, servants or employees or act as a waiver of the City's rights or the rights of the redevelopment entity.

b. If a developer does not complete any section of the development within eight (8) months of the date which is provided for in the approved plan, or if at any time the has cause to believe that the developer is not fulfilling its obligations pursuant to the approved General Development Plan, the City shall notify the developer, by certified mail, to give evidence within ten (10) days of the date of the notice that the developer is fulfilling the obligations pursuant to the approved plan. The City thereafter shall conduct a hearing to determine whether or not the developer is in violation of the approved plan. If, after such a hearing, the municipality finds good cause to terminate the approval, it shall provide written notice of same to the developer and the approval shall be terminated thirty (30) days thereafter.

c. In the event that a developer who has General Development Plan approval does not make application for preliminary approval for the Planned Development or the first section thereof which is the subject of that General Development Plan within five (5) years of the date upon which the General Development Plan has been approved by the Planning Board, the City shall have cause to terminate the approval in accordance with the provisions set forth in subsection b. of this section.

d. In the event that a development which is the subject of an approved General Development Plan is completed before the end of the term of the approval, the approval shall terminate with the completion of the development. For the purpose of this section, a development shall be considered complete on the date upon which the developer has fulfilled all of his obligations pursuant to the approval and a certificate of occupancy has been issued for the final residential or non-residential structure in the last section of the development and all amenities and required improvements have been completed and accepted by the City in accordance with the schedule of development set forth in the approved General Development Plan. However, such completion and satisfaction shall not operate to release a redeveloper from the terms and requirements of its redeveloper agreement with the redevelopment entity.

Section 4. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. All ordinances or parts of ordinances of the City of South Amboy heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed, to the extent of such inconsistency.

Section 6. This ordinance shall take effect immediately or as required by law.

JOSEPH E. CONNORS
Council President

ATTEST:

APPROVED:

LAURA KEMBLE-KALANTSIS
Acting Municipal Clerk

FRED A. HENRY
Mayor

APPROVED AS TO FORM:

JOHN R. LANZA, ESQ.
Law Director

Introduced on First Reading:

Date of Publication:

Adopted on Second Reading:

Date of Final Publication:

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

ORDINANCE #13-2014

**AN ORDINANCE ADOPTING THE BEACH CLUB DISTRICT
REDEVELOPMENT PLAN**

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, (the “**Redevelopment Law**”), by resolution duly adopted on January 19, 2005, the City Council (“**City Council**”) of the City of South Amboy (the “**City**”) designated the properties now known as Block 161.02, Lots 25 and 90 and 6.02; Block 161.02, Lot 25.04; and Block 161.02, Lots 25.03 and 25.05 (the “**Broadway/Main Street Properties**”) as an “area in need of redevelopment” pursuant to the Redevelopment Law; and

WHEREAS, by ordinances duly adopted on May 15, 2002 and December 15, 2010, respectively, the City Council adopted and amended a redevelopment plan encompassing the Broadway/Main Street Properties (the “**Broadway/Main Street Redevelopment Plan**”); and

WHEREAS, by resolution duly adopted on August 23, 1989, the City Council designated the properties now known as Block 161.02, Lot 23 and part of Lot 20 (Deed Book 05281, Page 0440); Block 161.02, the remaining part of Lot 20, and part of Lot 20.01 (Deed Book 06203, Page 0824); and Block 161.02, Lots 24 and 24.01 (collectively, the “**Southern Waterfront Properties**”), together with other parcels, as an “area in need of redevelopment” pursuant to the redevelopment laws preceding the Redevelopment Law (the Southern Waterfront Properties and the Broadway/Main Street Properties are referred to herein as the “**Properties**”); and

WHEREAS, on September 15, 2004, by Ordinance No. 16-2004, the City Council adopted a restated redevelopment plan encompassing the Southern Waterfront Properties and incorporating several previous redevelopment plans and amendments (the “**Southern Waterfront Redevelopment Plan**” and, together with the Broadway/Main Street Redevelopment Plan, the “**Redevelopment Plans**”); and

WHEREAS, the Southern Waterfront Redevelopment Plan was amended by Ordinance No. 12-2007 to modify the permitted uses for Block 161.02, Lot 24; and

WHEREAS, the City designated the South Amboy Redevelopment Agency (“**SARA**”) as the redevelopment entity responsible for implementing and carrying out the Redevelopment Plans pursuant to the Redevelopment Law; and

WHEREAS, on November 12, 2014, SARA adopted a resolution designating Manhattan Beach Club Street, LLC (“**Manhattan Beach Club**”) as the redeveloper of the portion of the Properties consisting of the parcels designated as Block 161.02, Lots 6.02, 20, 20.01, 23, 24, 24.01, 25, 90 and a portion of 90.01 on the City’s Tax Map (collectively, the “**Beach Club District**”); and

WHEREAS, on November 12, 2014, SARA and the City Council adopted resolutions authorizing the execution of a tri-party Redevelopment Agreement with Manhattan Beach Club (the “**Redevelopment Agreement**”) in connection with the redevelopment of the Beach Club District; and

WHEREAS, Beacon Planning and Consulting Services, LLC (the “**Planning Consultant**”) prepared a redevelopment plan for the Beach Club District, entitled “The Beach Club District Redevelopment Plan, City of South Amboy, New Jersey”, dated November 2014 (the “**Beach Club District Redevelopment Plan**”) which Plan supersedes and replaces the Redevelopment Plans for the following properties: Block, 161.02, Lots 6.02, 20, 23, 24, 24.01, 25, 90, 90.01; and

WHEREAS, on November 12, 2014, the City Council referred the Beach Club District Redevelopment Plan to the City Planning Board for comments and recommendations; and

WHEREAS, the City Planning Board reviewed the proposed Beach Club District Redevelopment Plan at its meeting on December 2, 2014; at which meeting the Beach Club District Plan was discussed and Angelo J. Valetutto, P.E., P.P., the City Planning Board Planner, presented his report dated December 1, 2014; and

WHEREAS, after extensive discussions and testimony, the City Planning Board made the following recommendations concerning the Beach Club District Redevelopment Plan:

1. Change the minimum floor area for two bedroom apartments to 850 square feet from 750 square feet;
2. Add a minimum floor area for three bedrooms of 1,300 square feet;
3. Provide that the restaurant use in Table 2 shall be open to the public; and
4. Provide that the maximum building heights in Table 3 for multi-family buildings shall provide that, in addition to the limitations set forth therein, eight story buildings shall be built furthest from the water and the buildings step down in height as they go toward the water; and

WHEREAS, the City Council desires to adopt the Beach Club District Redevelopment Plan, with certain revision(s) thereto, including certain of the City Planning Board recommendations described above as follows:

1. Revise Section 6.4, Development Review, to provide that the redeveloper shall obtain SARA’s approval prior to submitting applications to the City Planning Board;
2. Change the minimum floor area for two bedroom apartments to 850 square feet from 750 square feet;
3. Add a minimum floor area for three bedrooms of 1,150 square feet (as opposed to the 1,300 recommended by the City Planning Board);
4. Provide that the restaurant use in Table 2 shall be open to the public; and

WHEREAS, the City Council has determined **not** to accept the City's Planning Board's recommendation to add a minimum floor area for three bedroom apartments of 1,300 square feet having determined that a minimum square foot limitation of 1,150 square feet is a more appropriate limitation; and

WHEREAS, the City Council has determined **not** to accept the City Planning Board's recommendation that Beach Club District Redevelopment Plan be amended to provide that the maximum building heights in Table 3 for multi-family buildings provide that, in addition to the limitations set forth therein, eight story buildings shall be built furthest from the water and the buildings step down in height as they go toward the water because such a change encourages the construction of the highest buildings near North Broadway and the central business district which will have a deleterious impact on such area rather than the current plan which envisions the construction of the highest buildings further east of the center of the City; and

WHEREAS, the attached Broadway District Redevelopment Plan is revised as described above;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of South Amboy as follows:

1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.
2. The Beach Club District Redevelopment Plan, revised in accordance herewith, is on file with the City Clerk, is incorporated herein by reference and is hereby approved and adopted pursuant to N.J.S.A. 40A:12A-7.
3. The sections of the Zoning Map of the City that relate to the Beach Club District are hereby amended to incorporate the provisions of the Beach Club District Redevelopment Plan.
4. If any part of this Ordinance shall be deemed invalid, such part shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.
5. This Ordinance shall take effect in accordance with applicable law.

JOSEPH CONNORS
Council President

Attest:

LAURA KEMBLE-KALANTSIS
Municipal Clerk

Approved:

FRED A. HENRY
Mayor

Approved as to form:

JOHN R. LANZA
Director of Law

Introduced on First Reading:
First Publication:
Approved on Final Reading:
Final Publication:

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

ORDINANCE #14-2014

**AN ORDINANCE TO AMEND CHAPTER 46, CONSTRUCTION CODES,
AND OTHER FEES FOR THE CITY OF SOUTH AMBOY**

BE AND IT IS HERBY ORDAINED by the Council of the City of South Amboy, Middlesex County, New Jersey, that the code of the City of South Amboy, be and is hereby amended as follows:

CHAPTER 46 CONSTRUCTION CODES, UNIFORM

46-3 Fee Schedule

Add:

Curb	\$2.00 per linear foot
Sidewalk	\$0.50 per square foot
Driveway	\$0.50 per square foot
Minimum fee	\$50.00

ARTICLE IX FEES AND ESCROW DEPOSITS

Section 53-51. Schedule of Fees.

D. Fee Schedule. Fees shall be as follows:

Subdivision (delete this section and replace with the following):

<u>Type of Subdivision</u>	<u>Fee</u>
Minor subdivision	\$300.00 plus \$15.00 per lot including lands remaining
Major subdivision Preliminary plat fee	\$500.00 plus \$25.00 per lot, including lands remaining
Final plat fee	\$300.00 plus \$25.00 per lot, including lands remaining

SITE PLAN

Delete this section and replace with:

<u>Type of Site Plan</u>	<u>Fee</u>
Minor site plans (residential)	\$500.00 plus \$50.00 per dwelling
Minor site plan (non-residential)	\$500.00 plus \$25.00 per 1,000 square feet of building space
Preliminary major site plan (residential)	\$500.00 plus \$50.00 per dwelling unit
Final major site plan (residential)	\$500.00 plus \$50.00 per dwelling unit
Preliminary major site plan (non-residential)	\$500.00 plus \$25.00 per 1,000 square feet of building space
Final major site plan (non-residential)	

All Ordinances and parts of ordinances inconsistent herewith are hereby repealed.

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjusted invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

This Ordinance shall take effect upon final passage and publication pursuant to law.

Joseph E. Connors,
Council President

ATTEST:

APPROVED:

Laura Kemble-Kalantsis
Acting Municipal Clerk

Fred Henry, Mayor

APPROVED AS TO FORM:

John R. Lanza, Esq.
Director of Law

Introduced on First Reading:
Date of Publication:
Adopted on Second Reading:
Date of Second Publication: